

87th Legislative Session – 2012

Committee: House Local Government

Thursday, February 09, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Feickert
P Kloucek
P Schrempp
P Magstadt
P Munsterman
P Nelson (Stace)
P Olson (Betty)
P Rausch
P Tornow
P Tulson
P Venner
P Cronin, Vice-Chair
P Kirkeby, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman Kirkeby.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 7, 2012

Moved by: Schrempp
Second by: Munsterman
Action: Prevailed by voice vote.

HB 1008: revise certain provisions regarding the grounds for challenges for people making application for ballots during an election.

Presented by: Jason Gant, Office of the Secretary of State
Proponents: Tiffany Campbell, American Civil Liberties Union of SD

MOTION: TO TABLE HB 1008

Moved by: Munsterman

Second by: Cronin

Action: Prevailed by roll call vote. (11-2-0-0)

Voting Yes: Feickert, Magstadt, Munsterman, Nelson (Stace), Olson (Betty), Rausch, Tornow, Tulson, Venner, Cronin, Kirkeby

Voting No: Kloucek, Schrempp

HB 1247: revise certain provisions regarding the voting rights of persons convicted of a felony or serving time in the state penitentiary.

Presented by: Representative Gene Abdallah

Proponents: Jason Gant, Office of the Secretary of State

Opponents: Tiffany Campbell, American Civil Liberties Union of SD

MOTION: DO PASS HB 1247

Moved by: Munsterman

Second by: Tornow

Action: Prevailed by roll call vote. (10-3-0-0)

Voting Yes: Magstadt, Munsterman, Nelson (Stace), Olson (Betty), Rausch, Tornow, Tulson, Venner, Cronin, Kirkeby

Voting No: Feickert, Kloucek, Schrempp

HB 1135: revise the 911 emergency surcharge, to revise the collection and distribution of the emergency surcharge revenue, to provide for point of sale collection of the prepaid wireless 911 emergency surcharge, and to provide funding for the upgrade of 911 emergency services.

MOTION: TO TABLE HB 1135

Moved by: Tornow

Second by: Magstadt

Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Feickert, Kloucek, Schrempp, Magstadt, Munsterman, Olson (Betty), Rausch,

Tornow, Tulson, Venner, Cronin, Kirkeby

Voting No: Nelson (Stace)

HB 1179: require certain campaign finance requirements to apply to all counties and municipalities.

Presented by: Jason Gant, Office of the Secretary of State

Proponents: Yvonne Taylor, SD Municipal League

MOTION: AMEND HB 1179

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On page 1, line 7, of the printed bill, delete "municipal offices and".

On page 1, line 8, delete "and second".

On page 1, line 9, delete "municipality" and insert "municipal".

On page 1, line 13, after "questions" insert "or elections for municipal offices".

On page 2, line 4, delete ", municipal".

On page 2, line 4, after "or" insert "county, municipal, or school district".

On page 2, line 10, delete "office or ballot questions" and insert "ballot questions".

On page 2, line 12, delete "office or".

On page 2, line 24, delete "office" and insert "ballot question".

On page 3, line 3, delete "delegate" and insert "direct".

On page 3, delete line 4, and insert "chapter be electronically filed with the secretary of state, rather than being filed with the county, municipality, school district, or other political subdivision.".

On page 3, after line 4, insert:

"

Section 4. That chapter 12-27 be amended by adding thereto a NEW SECTION to read as

follows:

Nothing in this chapter prevents any political subdivision from adopting additional standards or requirements relating to campaign finance for elections held under the political subdivision's own jurisdiction that are more stringent than the provisions of this title."

Moved by: Rausch
Second by: Cronin
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1179 AS AMENDED

Moved by: Rausch
Second by: Cronin
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Feickert, Kloucek, Schrempp, Magstadt, Munsterman, Nelson (Stace), Olson (Betty), Rausch, Tornow, Tulson, Venner, Cronin, Kirkeby

HB 1230: modify the publication requirements regarding the application for a well driller license or a well pump installer license.

Presented by: Representative Stace Nelson
Opponents: Steve Pirner, Department of Environment and Natural Resources
Brenda Forman, AG Unity
Lorin Pankratz, SD Pork Producers
Lorin Pankratz, SD Soybean Association

MOTION: DEFER HB 1230 TO THE 41ST LEGISLATIVE DAY

Moved by: Munsterman
Second by: Rausch
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS HB 1230

Moved by: Tornow
Second by: Nelson (Stace)
Action: Prevailed by roll call vote. (9-4-0-0)

Voting Yes: Kloucek, Schrempp, Magstadt, Nelson (Stace), Olson (Betty), Tornow, Venner,

Cronin, Kirkeby

Voting No: Feickert, Munsterman, Rausch, Tulson

HB 1250: permit counties and townships to levy a capital improvement property tax for highways, secondary roads, bridges, and culverts.

Presented by: Representative Dennis Feickert

Proponents: Representative Burt Tulson

Deb Mortenson, Associated General Contractors of SD - HHU Chapter

Jan Weismantel, Brown County

Julie Johnson, Absolutely Aberdeen

Jim Puffer, SD Association Towns and Townships

Ron Blackhart, Self, Miller

Oran Sorenson, Self, Garretson

Dick Howard, SD Association of Towns and Townships

Opponents: Mike Houdyshell, Department of Revenue

MOTION: DO PASS HB 1250

Moved by: Feickert

Second by: Tulson

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1250 TO THE 41ST LEGISLATIVE DAY

Moved by: Venner

Second by: Nelson (Stace)

Action: Failed by roll call vote. (5-6-2-0)

Voting Yes: Kloucek, Munsterman, Nelson (Stace), Rausch, Venner

Voting No: Feickert, Schrempp, Magstadt, Olson (Betty), Tulson, Kirkeby

Excused: Tornow, Cronin

THE MOTION TO DO PASS HB 1250

Action: FAILED BY ROLL CALL VOTE. (6-5-2-0)

Voting Yes: Feickert, Schrempp, Magstadt, Olson (Betty), Tulson, Kirkeby

Voting No: Kloucek, Munsterman, Nelson (Stace), Rausch, Venner

Excused: Tornow, Cronin

MOTION: WITHOUT RECOMMENDATION HB 1250

Moved by: Feickert

Second by: Magstadt

Action: Failed by roll call vote. (6-5-2-0)

Voting Yes: Feickert, Schrempp, Magstadt, Olson (Betty), Tulson, Kirkeby

Voting No: Kloucek, Munsterman, Nelson (Stace), Rausch, Venner

Excused: Tornow, Cronin

MOTION: DO NOT PASS HB 1250

Moved by: Munsterman

Second by: Olson (Betty)

Action: Prevailed by roll call vote. (8-3-2-0)

Voting Yes: Feickert, Schrempp, Magstadt, Munsterman, Olson (Betty), Rausch, Tulson, Kirkeby

Voting No: Kloucek, Nelson (Stace), Venner

Excused: Tornow, Cronin

HB 1122: revise certain provisions relating to the vacation, change, or location of highways.

Presented by: Representative David Sigdestad

MOTION: DO PASS HB 1122

Moved by: Tulson

Second by: Feickert

Action: Prevailed by roll call vote. (9-2-2-0)

Voting Yes: Feickert, Kloucek, Schrempp, Magstadt, Munsterman, Nelson (Stace), Olson (Betty), Tulson, Kirkeby

Voting No: Rausch, Venner

Excused: Tornow, Cronin

HB 1222: limit the authority of South Dakota delegates to an Article V convention to amend the United States Constitution, to prohibit any delegate from exceeding such authority, and to provide certain penalties therefor.

Presented by: Representative David Sigdestad

MOTION: REMOVE HB 1222 FROM THE TABLE AND CALENDAR FOR THE SAME DAY

Moved by: Nelson (Stace)

Second by: Kloucek

Action: Failed by roll call vote. (4-7-2-0)

Voting Yes: Feickert, Kloucek, Nelson (Stace), Olson (Betty)

Voting No: Schrempp, Magstadt, Munsterman, Rausch, Tulson, Venner, Kirkeby

Excused: Tornow, Cronin

MOTION: ADJOURN

Moved by: Kloucek

Second by: Olson (Betty)

Action: Prevailed by voice vote.

Jeanette Black
Committee Secretary

Mark Kirkeby, Chair